

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

)
COMMERCIAL STREET EXPRESS LLC,)
NICOLE VANDER MUELEN, SHASTA)
BURZYNSKI, KATHLEEN COULLARD on)
behalf of themselves and all others similarly)
situated,)
)
Plaintiff,		Case No. 08-cv-01179
)
v.		The Honorable Virginia M. Kendall
)
SARA LEE CORPORATION, COLGATE-)
PALMOLIVE COMPANY, HENKEL CHEMIE)
VERWALTUNGSGESELLSCHAFT MBH,)
HENKEL CORP., UNILEVER N.V., UNILEVER)
PLC, UNILEVER UNITED STATES INC.)
)
Defendants.)
)

**COLGATE-PALMOLIVE COMPANY'S MEMORANDUM IN SUPPORT OF
UNOPPOSED MOTION FOR EXTENSION OF TIME TO ANSWER OR OTHERWISE
RESPOND TO PLAINTIFF'S AMENDED COMPLAINT**

Defendant Colgate-Palmolive Company (“Colgate”) respectfully requests that it be granted a sixty-day extension of time to answer or otherwise respond to plaintiffs’ Amended Complaint. As grounds for its motion, Colgate states:

1. Colgate was served with plaintiffs’ Amended Class Action Complaint on March 3, 2008. Plaintiffs never served Colgate with the original Complaint. In their Amended Complaint, plaintiffs assert five claims against Defendants, alleging violations of federal and state antitrust laws, including twenty-one state antitrust and unfair competition laws and twenty-two state consumer protection laws. In their Amended Complaint, plaintiffs also seek to

represent a purported class of all persons or entities who acquired oral, personal and home care products in the United States that were manufactured and/or distributed by one or more of the Defendants.

2. Under the Federal Rules of Civil Procedure, Colgate is required to answer or otherwise respond no later than March 24, 2008 (twenty days after service as calculated under the Federal Rules). *See Fed. R. Civ. P. 12; Fed. R. Civ. P. 6.*

3. Colgate would like additional time to assess the various claims made and respond. Colgate respectfully requests that it be granted leave to answer or otherwise respond to the Amended Complaint on or before May 5, 2008.

4. Colgate has discussed this extension with Plaintiffs counsel and Plaintiffs counsel have agreed to the requested extension of time.

5. No prior extension of time to respond to the Amended Complaint has previously been sought by Colgate.

6. This motion is brought in good faith and for good cause and is not brought to delay these proceedings.

7. In moving for an extension of time to respond, Colgate does not waive any defenses or objections, including objections to subject matter jurisdiction, personal jurisdiction, or venue in this Court.

WHEREFORE, Colgate respectfully requests that this Court grant it an extension of sixty days to respond to plaintiffs' Amended Complaint. A proposed order is attached.

Dated: March 18, 2008

Respectfully submitted,

/s/ David K. Callahan
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Attorneys for Defendant Colgate-Palmolive Company

CERTIFICATE OF SERVICE

The undersigned certifies that a true and correct copy of the foregoing DEFENDANT COLGATE-PALMOLIVE COMPANY'S MEMORANDUM IN SUPPORT OF ITS UNOPPOSED MOTION FOR EXTENSION OF TIME TO ANSWER OR OTHERWISE RESPOND TO PLAINTIFF'S AMENDED COMPLAINT was served March 18, 2008 on all counsel of record via the Court's ECF notification.

/s/ David K. Callahan
David K. Callahan, P.C.